

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS
CENTRAL DIVISION

CIVIL ACTION NO.: 05 CV 40071-FDS

*****)
CHRISTIAN SCHWENK,)
 Plaintiff)
)
v.)
)
AUBURN SPORTSPLEX, LLC, DENNIS)
NATOLI, JOHN NATOLI, and PETER)
NATOLI,)
 Defendants)

SUGGESTION OF DEATH

Plaintiff hereby suggests upon the record the death of Christian Schwenk as of March 25, 2007. A copy of the death certificate is attached. Mr. Schwenk's estate is being probated in Florida and as soon as a personal representative has been appointed, Plaintiff will move to substitute.

/s/ Douglas L. Fox
Douglas L. Fox, Esq
BBO#: 176380.
Shumway, Giguere & Fox, PC
19 Cedar Street
Worcester, MA 01609
(508) 756-2323

CERTIFICATE OF SERVICE

On this 16th day of July, 2007, I, Douglas L. Fox, Esquire, hereby certify that I served the within ***Suggestion of Death*** upon the Defendants, by mailing a copy of the same, first-class mail, postage prepaid, to Defendants' Counsel of Record:

William J. Ritter, Esq.
Pojani, Hurley, Ritter & Salvidio, LLP
446 Main Street, 21st Floor
Worcester, MA 01608
Fax: (508) 797-9561

/S/ Douglas L. Fox
DOUGLAS L. FOX, ESQUIRE
BBO #176380